

## REMARKS

Claims 1, 3-18 and 20-34 are pending in the present application. In the above amendments, claims 1, 3-7, 9-14, 17, 18, 20-23, 27-31 and 34 have been amended, and claims 2 and 19 have been canceled without prejudice.

The specification was objected to because of informalities. Applicant has replaced paragraph [0001] with an updated paragraph [0001] to overcome the objection.

Claims 2-9, 15 and 34 were objected to because of informalities. Applicant has amended the claims with appropriate correction to overcome the objection.

Claims 1-34 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

Applicant has amended the claims to overcome this rejection and respectfully submits that the claimed invention is now clearly described in the specification, for example, from page 7, paragraph [0031], to page 15, paragraph [0047]. The invention is illustrated, for example, in FIG. 4.

Claims 5, 9, 12-14 and 29-31 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Applicant has amended the claims to overcome this rejection.

Claims 1, 10-12, 16, 18, 27-29 and 33 were rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 5,896,368 to Dahlman. This rejection is respectfully traversed.

Applicant has amended independent claims 1 and 18 to incorporate the features of claims 2 and 19, respectively, which Dahlman does not disclose or suggest. Under 35 U.S.C. §102, anticipation requires that each and every element of the claimed invention must be disclosed in the prior art reference; and since Dahlman does not disclose or suggest at least “modulating a pilot channel encoded data with a first code to produce a first stream of modulated symbols; and modulating a user first channel encoded data with a second code to produce a second stream of modulated symbols,” Dahlman cannot anticipate the claimed invention under 35 U.S.C. §102.

The remaining claims depend either directly or indirectly from claim 1 or 18 and are therefore also patentable over Dahlman for at least the same reasons stated above.

Specification

Applicant provides herewith amendments to the specification. The amendments to the specification are made by presenting marked up replacement paragraphs which identify changes made relative to the immediate prior version.

The changes made are primarily typographical or grammatical in nature, or involve minor clarifications of awkward wordings.

Applicant believes these changes add no new matter to the application and are fully supported by the original disclosure.

**REQUEST FOR ALLOWANCE**

In view of the foregoing, applicant respectfully submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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